

#### § 1404.19

(d) If the parties mutually select an arbitrator, but the arbitrator is not available, the parties may select a second name from the same panel or the OAS will make a direct appointment of another arbitrator not listed on the original panel.

#### § 1404.19 Arbitration process.

(a) Once notified of the expedited case appointment by the OAS, the arbitrator must contact the parties within seven (7) calendar days.

(b) The parties and the arbitrator must attempt to schedule a hearing within 30 days of the appointment date.

(c) Absent mutual agreement, all hearings will be concluded within one day. No transcripts of the proceedings will be made and the filing of post-hearing briefs will not be allowed.

(d) All awards must be completed within seven (7) working days from the hearing. These awards are expected to be brief, concise, and not required extensive written opinion or research time.

#### § 1404.20 Arbitrator eligibility.

In an effort to increase exposure for new arbitrators, those arbitrators who have been listed on the Roster of Arbitrators for a period of five (5) years or less will be automatically placed on expedited panels submitted to the parties. However, all panels will also contain the names of at least two more senior arbitrators. In addition, the parties may jointly request a larger pool of arbitrators or a direct appointment of their choice who is listed on the Roster.

#### § 1404.21 Proper use of expedited arbitration.

(a) FMCS reserves the right to cease honoring request for Expedited Arbitration if a pattern of misuse of this becomes apparent. Misuse may be indicated by the parties' frequent delay of the process or referral of inappropriate cases.

(b) Arbitrators who exhibit a pattern of unavailability of appointments or who are repeatedly unable to schedule hearings or render awards within established deadlines will be considered ineligible for appointment for this service.

#### 29 CFR Ch. XII (7-1-03 Edition)

#### APPENDIX TO 29 CFR PART 1404—ARBITRATION POLICY; SCHEDULE OF FEES

Annual listing fee for all arbitrators: \$100 for the first address; \$50 for the second address

Request for panel of arbitrators processed by FMCS staff: \$50

Request for panel of arbitrators on-line: \$30.00

Direct appointment of an arbitrator when a panel is not used: \$20.00 per appointment

List and biographic sketches of arbitrators in a specific area: \$25.00 per request plus \$.25 per page.

[68 FR 10659, Mar. 6, 2003]

### PART 1405—PART-TIME EMPLOYMENT

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AUTHORITY: Pub. L. 95-437, Federal Employees Part-time Career Employment Act of 1978.

SOURCE: 47 FR 15779, Apr. 13, 1982, unless otherwise noted.

#### Subpart A—General

##### § 1405.1 Purpose.

These regulations implement Public Law 95-437, the Federal Employees Part-time Career Employment Act of 1978, by establishing a continuing program in the Federal Mediation and Conciliation Service (FMCS) to provide career part-time employment opportunities.

##### § 1405.2 Policy.

It is the policy of FMCS to provide career part-time employment opportunities in positions through GS-16 (or equivalent) subject to agency resources and mission requirements.